

ARNOLD & PORTER

202.942.5000
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

July 12, 2001

Box DAC

Commissioner for Patents
Washington, D.C. 20231

Re: Replacement Filing of U.S. Nonprovisional Application
Appl. No.: To be assigned.
Originally filed: February 16, 2000
For: Plant Genome Sequences and Uses Thereof
Inventors: Yongwei CAO *et al.*
Atty. Ref.: 04983.0210.US00/38-21(15478)B

RECEIVED

JUL 13 2001

OFFICE OF PETITIONS

Sir:

As set forth in the accompanying petition, Applicants petition the Commissioner to acknowledge the filing date of February 16, 2000 for the above-captioned matter. To facilitate the accompanying petition Applicants provide a copy of the original filing,¹ (items 8 to 12). The following documents are submitted with this transmittal letter.

1. a Petition for Filing Date (in duplicate);
2. a copy of the stamped post card indicating receipt of the above-captioned application by the U.S. Patent and Trademark Office on February 6, 2000²;
3. copy of a letter dated December 5, 2000, to Mr. Sean Hill;
4. a copy of a facsimile dated January 11, 2001, to Mr. Sean Hill;
5. a copy of a letter to Ms. Delora Dillard dated April 2, 2001;
6. a copy of a facsimile dated May 21, 2001, to Ms. Delora Dillard;
7. check no. 133288 in the amount of \$130.00 for the petition fee set forth in 37 C.F.R. 1.17(h);
8. a copy of the originally filed U.S. Utility Patent Application Transmittal (PTO/SB/05);

¹ Due to the burden of resubmitting in excess of 30,000 pages, Applicants have submitted CD-R versions of the originally filed tables and sequence listings.

² As explained in the attached petition, it is Applicant's belief that the actual filing date of the application is February 16, 2000 as is typewritten on the postcard.

9. a copy of the originally filed form PTO-1082;
10. a copy of the U.S. Non-Provisional Application entitled:

Plant Genome Sequences and Uses Thereof

naming as inventors:

Yongwei CAO and William E. TIMBERLAKE,

containing:

- (i) a copy of originally filed pages 1-91 of the disclosure (pages prior to Table 1 and Table 2);
 - (ii) a paper copy of the originally filed first two pages of Table 1 (pages 92 and 93);
 - (iii) two CD-Rs with copies of originally filed Table 1 and Table 2, (corresponding to pages 92-2368);
 - (iv) a copy of originally filed pages 2369-2370 (corresponding to the two pages of the description following Tables 1 and 2);
 - (v) a copy of the originally filed one (1) page of claims (7 claims);
 - (vi) a copy of the originally filed one (1) page abstract; and
 - (vii) two CD-Rs with a copy of the originally filed sequence listing (corresponding to the 30,213 page sequence listing);
11. a copy of the CD-R containing the originally filed sequence listing in computer readable form (CRF);
 12. a copy of the originally filed Statement Regarding the Sequence Submission;
 13. a Preliminary Amendment;
 14. Statement Regarding Sequence Submission;
 15. a Change of Correspondence Address; and
 16. two return post cards.

A total of five compact discs (CD-Rs) accompany this letter. Three of the discs that accompany this transmittal letter are sequence listing CD-Rs: two copies of a sequence listing (Seq. Listing: Copy 1, Seq. Listing: Copy 2), and the sequence listing

04983.0210.US00

CRF. The remaining two CD-Rs that accompany this letter set forth Table 1 and Table 2 of the disclosure as originally filed on paper (page 92 to page 2,368).

Submitted herewith are a sequence listing on CD-R (two copies) and a sequence listing Computer Readable Form (CRF) on CD-R, in compliance with 37 C.F.R. §§ 1.52(e), 1.77, and 1.823. The compact discs labeled Seq. Listing: Copy 1 and Seq. Listing: Copy 2 are identical to each other and to the sequence listing CRF. All three sequence listing CD-Rs each contain one file called ATC3_AAT.txt which is 50,923,406 bytes in size (measured in MS-DOS) and was created on January 25, 2000. All three sequence listing CD-Rs are in IBM-PC machine format, and are MS-DOS and MS-Windows compatible.

The compact discs labeled Table: Copy 1 and Table: Copy 2 set forth Table 1 and Table 2, which corresponding to pages 92 to 2,368 of the originally filed disclosure. The compact discs labeled Table: Copy 1 and Table: Copy 2 are identical to each other and contain the files set forth in the following table:

DOS NAME	WINDOWS NAME	SIZE IN BYTES MEASURED IN MS-DOS
TABLE~10.DOC	TABLE PT A 38-21(15478)B.DOC,	2,251,264
TABLE~12.DOC	TABLE PT B 38-21(15478)B.DOC,	2,647,040
TABLE~14.DOC	TABLE PT C 38-21(15478)B.DOC,	2,638,848
TABLE~16.DOC	TABLE PT D 38-21(15478)B.DOC,	2,641,920
TABLEP~6.DOC	TABLE PT E 38-21(15478)B.DOC,	2,892,288
TABLEP~8.DOC	TABLE PT F 38-21(15478)B.DOC,	991,744

04983.0210.US00

Commissioner of Patents
Atty. Docket: 04983.0210.US00
Page 4

Each of the files on the discs labeled Table: Copy 1 and Table: Copy 2 were created on February 15, 2000, and are in IBM-PC machine format, and are MS-DOS and MS-Windows compatible.

On June 7, 2001 Applicants' representative discussed the re-submission of the written sequence listing and tables on CD-R with Mr. Manuel Antonakas and Mr. Lewis of the U.S. Patent and Trademark Office. Mr. Lewis stated that no petition was necessary to submit either the sequence listing or tables on CD-R as the Patent and Trademark Office is interpreting the current rules as applying to all applications.

In addition to the foregoing, it is noted for the attention of the Patent and Trademark Office that this application is entitled to the filing date of February 16, 2000, and as such it is **NOT TO BE PUBLISHED**.

Applicants request that all correspondence be directed to the address set forth on the attached Change of Correspondence Address.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

If you should have any questions concerning the above-captioned matter please do not hesitate to contact applicants representative. The undersigned can be reached at 202-942-5000.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ##4

In re application of:

CAO, Yongwei *et al.*

Filed: February 16, 2000

For: Plant Genome Sequences and Uses
Thereof

Appln. No.: To be assigned.

Art Unit: To be assigned.

Examiner: To be assigned.

Atty. Docket: 04983.0210.US00/38-21(15478)B

07/16/2001 LGIBBS 00000010 YONGWEI

01 FC:122

130.00 OF

Petition for Filing Date

RECEIVED

BOX DAC

JUL 13 2001

OFFICE OF PETITIONS

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants petition the Commissioner to acknowledge the filing date of February 16, 2000 for the above-captioned matter.¹ To facilitate consideration of this petition, Applicants submit a copy of the original filing.²

Applicants note that the date of the filing, as indicated by the typewritten date of the postcard was February 16, 2000. This date is confirmed by the transmittal documents submitted with the original filing. It appears that the date stamp used by the Office of Initial Patent Examination (OIPE) to acknowledge receipt of the application was defective in some way as the date apparently reads "February 6 **00." Applicants submit that this postcard clearly acknowledges receipt by OIPE of the application, and suggest that the date stamp may not have been fully inked as the first two digits of the year are nearly illegible. In any event, the postcard clearly indicates that the application was received by OIPE in February 2000.

The above-identified application was deposited by courier with the United States Patent and Trademark Office on February 16, 2000 (Exhibit 1). Because Applicants never received a Filing Receipt, Applicants' representatives made several telephone calls to the United States Patent Office starting in November of 2000 concerning the status of the application. In addition, Applicants' representative directed a letter concerning the status of the application to Mr. SSS Hill in the

¹ A petition fee of \$130.00 is submitted. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Arnold and Porter Deposit Account No. 50-18824. A duplicate copy of this page is enclosed.

² Due to the burden of resubmitting in excess of 30,000 pages, Applicants have submitted 6D-Revisions of the originally filed tables and sequence listings.

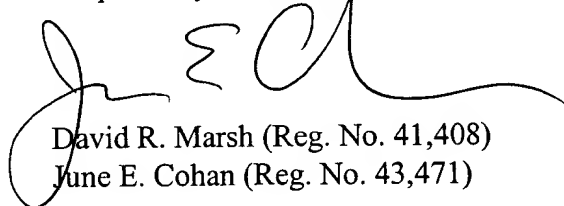
07/16/2001 LGIBBS 00000010 YONGWEI
 01 FC:122
 130.00 OF
 07/16/2001 LGIBBS 00000010 YONGWEI
 01 FC:122
 130.00 OF

Applications Branch on December 5, 2000 (Exhibit 2). As no response was received by January 11, 2000, Mr. Hill was contacted by telephone. Mr. Hill indicated on January 11, 2001, that he did not receive the prior facsimile and requested the facsimile be resent (Exhibit 3). To date, Mr. Hill has not responded.

Several additional attempts were made to identify another individual at the United States Patent Office who could assist. Applicants' representative directed a letter on April 2, 2001, concerning the status of the above-captioned application, to Ms. Delora Dillard, Branch Director of the Office of Initial Patent Prosecution (Exhibit 4). The letter, transmitted via facsimile on April 2, 2001, went unanswered and was resent on May 17, 2001. When contacted on May 21, 2001, Ms. Dillard indicated that she did not receive the earlier facsimiles. Copies of the earlier facsimiles were retransmitted on May 21, 2001 (Exhibit 5). As no response to the letter was received, Applicants' representatives again contacted Ms. Dillard by telephone during May. At this time Ms. Dillard indicated that she believed the application should be resubmitted.

In view of the above, Applicants petition the Commissioner to acknowledge the application the filing date of February 16, 2000.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,471)

Date: July 12, 2001

ARNOLD & PORTER
555 12th Street, N.W.
Washington, D.C. 20004
202.942.5000 telephone
202.942.5999 facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CAO, Yongwei *et al.*

Filed: February 16, 2000

For: Plant Genome Sequences and Uses
Thereof

Appln. No.: To be assigned.

Art Unit: To be assigned.

Examiner: To be assigned.

Atty. Docket: 04983.0210.US00/38-21(15478)B

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Commissioner for Patents
Washington, DC 20231

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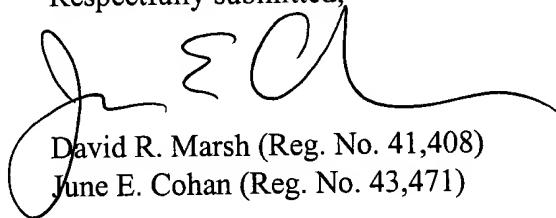
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In view of the above, Applicants petition the Commissioner to acknowledge the application the filing date of February 16, 2000.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,471)

Date: July 12, 2001

ARNOLD & PORTER
555 12th Street, N.W.
Washington, D.C. 20004
202.942.5000 telephone
202.942.5999 facsimile

Atty. Ref.: 04983.0210.US00/38-21(15478)B
Date: February 16, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yongwei CAO *et al.*
Serial No.: To Be Assigned
Filing Date: February 16, 2000
Title: Plant Genome Sequences and Uses Thereof

Art Unit: To Be Assigned
Examiner: To Be Assigned

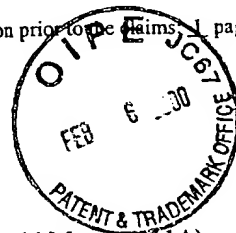
Assistant Commissioner for Patents
Washington, DC 20231

Attn: Box Patent Application

Sir:

Please place the U.S. Patent & Trademark Office receipt stamp hereon to acknowledge receipt of the following:

1. Transmittal Letter to the Assistant Commissioner for Patents;
2. Utility Patent Application Transmittal (PTO/SB/05);
3. Form PTO-1082;
4. U.S. Utility Patent Application (10 boxes consisting of 2,370 pages of description prior to the claims, 1 page of claims (7 claims); a 1 page abstract; and 30,213 pages of a sequence listing);
5. A CD-ROM containing the sequence listing;
6. Statement Regarding Sequence Submission; and
7. Two (2) return postcards.



Return file to: Kathi Moore (411A)

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 4315
CONNECTION TEL 16517124*97033059822
SUBADDRESS
CONNECTION ID USPTO OIPO
ST. TIME 05/17 15:46
USAGE T 01'40
PGS. SENT 5
RESULT OK

ARNOLD & PORTER

555 Twelfth Street, N.W.
Washington, DC 20004-1206

202.942.5000
202.942.5999 Fax
89273 ARFOPO WSH Telex Number

Fax Transmittal

May 17, 2001

Sender's Name Danielle Edwards
Telephone #: 202-942-6567
Room #: 1198A
Timekeeper #: 7788
Client Matter #: 16517.124
Pages: 5 pages (including cover)

This document must be transmitted no later than May 16, 2001

Recipient Name(s)	Fax Number(s)	Telephone Number(s)	Room Number(s)
Ms. Delora Dillard, Branch Director, Office of Initial Patent Prosecution	703-305-9822	703-305-7654	Room #(s)

Recipient Notice:

If you experience difficulty receiving this fax transmission,
please contact the operator at 202.942.5837.

ARNOLD & PORTER

555 Twelfth Street, N.W.
Washington, DC 20004-1206

202.942.5000
202.942.5999 Fax
89273 ARFOPO WSH Telex Number

Fax Transmittal

May 21, 2001
~~May 17, 2001~~

RUSH

Sender's Name: Danielle Edwards
Telephone #: 202-942-6567
Room #: 1198A
Timekeeper #: 7788
Client Matter #: 16517.124
Pages: 5 pages (including cover)

This document must be transmitted no later than May 16, 2001

Recipient Name(s)	Fax Number(s)	Telephone Number(s)	Room Number(s)
Ms. Delora Dillard, Branch Director, Office of Initial Patent Prosecution	703-305-9822	703-305-7654	Room #(s)

Recipient Notice: If you experience difficulty receiving this fax transmission, please contact the operator at 202.942.5837.

Message:

THIS IS OUR SECOND REMINDER REGARDING THE ATTACHED APPLICATION. PLEASE CONTACT THE UNDERSIGNED OF THIS LETTER AS SOON AS POSSIBLE AS TO THE STATUS OF THIS APPLICATION.

PRIVILEGED AND CONFIDENTIAL

Information intended only for the use of the addressee named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 4377
CONNECTION TEL 16517124*97033059822
SUBADDRESS
CONNECTION ID USPTO OIPO
ST. TIME 05/21 12:28
USAGE T 01'43
PGS. SENT 5
RESULT OK

ARNOLD & PORTER

555 Twelfth Street, N.W.
Washington, DC 20004-1206

202.942.5000
202.942.5999 Fax
89273 ARFOPO WSH Telex Number

Fax Transmittal

May 21, 2001
~~May 17, 2001~~

RUSH

Sender's Name Danielle Edwards
Telephone #: 202-942-6567
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Ms. Delora Dillard, Branch Director, Office of Initial Patent Prosecution	703-305-9822	703-305-7654	Room #(s)

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please contact the operator at 202.942.5837.

ARNOLD & PORTER

555 TWELFTH STREET, N.W.
WASHINGTON, D.C. 20004-1206

(202) 942-5000
FACSIMILE: (202) 942-5999

April 2, 2001

NEW YORK
DENVER
LOS ANGELES
LONDON

VIA FACSIMILE

Ms. Delora Dillard
Branch Director
Office of Initial Patent Prosecution
Washington, D.C. 20231
Telephone 703-305-7654
FAX: 703-305-9822

Re: U.S. Application No. Unknown
Filed: February 16, 2000
Title: Plant Genome Sequences and Uses Thereof
Inventors: Yongwei Cao *et al.*
Atty. Docket: 04983.0210.US00/38-21(15478)B

Dear Ms. Dillard

We previously filed the above captioned application with the United States Patent and Trademark Office on February 16, 2000 by courier. Although we have made several inquiries, we have been unable to establish the status of the application, or to determine the location of the application within the Patent Office. To date we have not received an Official Filing Receipt; hence, we have no application number to aid you in locating this application.

Attached is a copy of the stamped post card and copies of our previous correspondence with the Patent Office in the above-mentioned matter. We thank you for your time and assistance in this matter.

Enclosures

Sincerely,



David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Atty. Ref.: 04983.0210.US00/38-21(15478)B
Date: February 16, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yongwei CAO *et al.*
Serial No.: To Be Assigned
Filing Date: February 16, 2000
Title: Plant Genome Sequences and Uses Thereof

Art Unit: To Be Assigned
Examiner: To Be Assigned

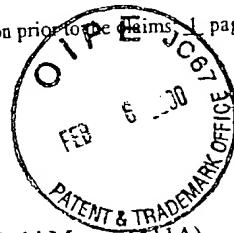
Assistant Commissioner for Patents
Washington, DC 20231

Attn: Box Patent Application

Sir:

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5. A CD-ROM containing the sequence listing;
6. Statement Regarding Sequence Submission; and
7. Two (2) return postcards.



Return file to: Kathi Moore (411A)

Please type a plus sign (+) inside this box → []

PTO/SB/05 (2/98)
Patent and Trademark Office for use through 09/30/00. OMB 0651-0032
U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	04983.0210.US00/38-21(15478)B
	First Named Inventor or Application Identifier	CAO
	Title	Plant Genome Sequences and Uses Thereof
	Express Mail Label No.	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. ☒ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 2372]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
3. ☐ Drawing(s) (35 USC 113) [Total Sheets]
4. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
(Note Box 5 below)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b, is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Copy
 - b. ☒ Paper Copy (identical to computer copy)
 - c. ☒ Statement verifying identity of above
copies

ACCOMPANYING APPLICATION PARTS	
8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input type="checkbox"/> Power of Attorney
10. <input type="checkbox"/> English Translation Document (if applicable)	
11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
12. <input type="checkbox"/> Preliminary Amendment	
13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) (should be specifically itemized)	
14. <input type="checkbox"/> *Small Entity Statement(s)	<input type="checkbox"/> Statement filed in prior application, Status still proper and desired
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Other:	

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: /

Prior Application Information: Examiner:

Group/Art Unit:

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	David R. Marsh HOWREY SIMON ARNOLD & WHITE, LLP				
ADDRESS	Box No. 34 1299 Pennsylvania Avenue, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20004-2402
COUNTRY	US	TELEPHONE	202-783-0800	FAX	202-383-7195
Name (Print/Type)	David R. Marsh/Timothy W. Riffe			Registration No. (Attorney/Agent)	41,408/43,881
Signature				Date	February 16, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

CONFIRMATION REPORT - MEMORY SEND

Time : DEC-05-00 11:34
Fax number: 2023836610
Name : HOWREY & SIMON

Job : 350
Date : DEC-05 11:32
To : 2#564#97033087751
Doc. pages : 04
Start time : DEC-05 11:32
End time : DEC-05 11:34
Pages sent : 04
Job:350

*** SEND SUCCESSFUL ***



1299 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2402
PHONE: 202.783.0800 • FAX: 202.383.6610

FACSIMILE COVER SHEET

DATE: 12/5/2000

TO: NAME: Sean Hill
COMPANY: U.S. Patent and Trademark Office
FAX NO: 703-308-7751

FROM: NAME: David R. Marsh
CONFIRMATION #: 703-308-1202 USER ID: 1421

NUMBER OF PAGES, INCLUDING COVER: 4 CHARGE NUMBER: 04983.0210.00US00

☐ ORIGINAL WILL FOLLOW VIA:
☐ REGULAR MAIL ☐ OVERNIGHT DELIVERY ☐ HAND DELIVERY ☐ OTHER: _____

☒ ORIGINAL WILL NOT FOLLOW

SUPPLEMENTAL MESSAGE:

Please see attached.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF THERE ARE ANY QUESTIONS OR PROBLEMS WITH THE TRANSMISSION OF THIS FACSIMILE, PLEASE CALL 202.383.7137.



1299 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2402
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FACSIMILE COVER SHEET

DATE: 12/5/2000

TO: NAME: Sean Hill
COMPANY: U.S. Patent and Trademark Office
FAX NO: 703-308-7751

FROM: NAME: David R. Marsh
CONFIRMATION #: 703-308-1202 USER ID: 1421

NUMBER OF PAGES, INCLUDING COVER: 4 CHARGE NUMBER: 04983.0210.00US00

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December 5, 2000

VIA FACSIMILE

Sean Hill
Applications Branch
U.S. Patent and Trademark Office
Washington, DC 20231

Re: U.S. Non-Provisional Application filed February 16, 2000
For: Plant Genome Sequences and Uses Thereof
Inventors: Yongwei CAO *et al.*
Ref. No.: 04983.0210.00US00/38-21(15478)B

Dear Mr. Hill:

The above-identified application was deposited with the U.S. Patent and Trademark Office on February 16, 2000. To date, we have received no correspondence from the PTO regarding this application. On December 5, 2000, a call was placed to the Applications Branch requesting the status of the application, at which time we were informed that there was no record of this application in the PTO's computer. We were informed by the PTO that we should send you a copy of the receipt postcard date-stamped by the PTO, and Form PTO/SB/05 filed with the application. Enclosed are copies of these documents. Please advise us of the serial number and status of this application by facsimile as soon as possible (202-383-6610).

If you have any questions, please feel free to call me at 202-383-6904.

Sincerely,

A handwritten signature in black ink that reads "David R. Marsh". The signature is stylized with a large, flowing "D" and "M".

David R. Marsh
Registration No. 41,408

Enclosures

Please type a plus sign (+) inside this box → []

PTO/SB/05 (2/98)

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(h))</i>	Attorney Docket No. 04983.0210.US00/38-21(15478)B	
	First Named Inventor or Application Identifier CAO	
	Title	Plant Genome Sequences and Uses Thereof
	Express Mail Label No.	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. ☒ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 2372]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure
3. ☐ Drawing(s) (35 USC 113) [Total Sheets]
4. ☐ Oath or Declaration [Total Pages]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b, is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☒ Computer Readable Copy
b. ☒ Paper Copy (identical to computer copy)
c. ☒ Statement verifying identity of above
copies

ACCOMPANYING APPLICATION PARTS	
8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input type="checkbox"/> Power of Attorney
10. <input type="checkbox"/> English Translation Document (if applicable)	
11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
12. <input type="checkbox"/> Preliminary Amendment	
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14. <input type="checkbox"/> *Small Entity Statement(s)	<input type="checkbox"/> Statement filed in prior application, Status still proper and desired
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
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*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

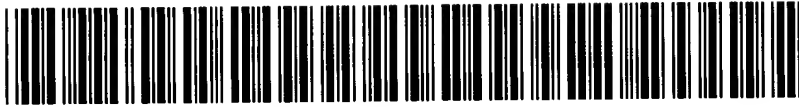
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /
Prior Application Information: Examiner: Group/Art Unit:

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label or ☒ Correspondence address below
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NAME	David R. Marsh HOWREY SIMON ARNOLD & WHITE, LLP				
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Name (Print/Type)	David R. Marsh/Timothy W. Riffe		Registration No. (Attorney/Agent)	41,408/43,881	
Signature			Date	February 16, 2000	

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